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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte DONALD J. FASEN and MARTIN J. HARPER

Appeal 2015-002397
Application 13/098,785
Technology Center 2600

Before ST. JOHN COURTENAY III, LINZY T. McCARTNEY, and
NORMAN H. BEAMER, *Administrative Patent Judges*.

McCARTNEY, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) from a rejection of claims 1, 3–13, 15–18, and 20–23. Claims 2, 14, and 19 have been canceled. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

STATEMENT OF THE CASE

The present patent application concerns reducing the noise associated with the moveable parts of a storage device (e.g., a tape drive). *See Spec.*

¶¶ 1–11, Abstract. Claim 11 illustrates the claimed subject matter:

11. A method associated with a storage device, comprising:

receiving a position error signal based on servo information on a storage medium;

using the position error signal in a control loop for controlling relative positioning of an access head and the storage medium;

receiving information of a speed of a moveable part in the storage device;

generating a correction output based on the speed of the moveable part in the storage device; and

inputting the correction output into the control loop to affect the controlling for reducing a noise component associated with movement of the moveable part.

REJECTION

Claims 1, 3–13, 15–18, and 20–23 stand rejected under 35 U.S.C. § 102(b) as anticipated by Drouin (US 5,550,685; Aug. 27, 1996).

ANALYSIS

Appellants argue the cited portions of Drouin do not disclose claim 11’s “receiving” and “generating” steps and similar limitations recited independent claims 1 and 20. App. Br. 6–7, 9, 11–12. Appellants assert the cited portions of Drouin simply disclose taking a number of servo samples and generating a sine wave whose frequency corresponds to a runout frequency. *Id.* at 6. According to Appellants, neither disclosure anticipates

“receiving information of a speed of a moveable part,” much less
“generating a correction output based on the speed.” *Id.*

We find Appellants’ arguments persuasive. The Examiner found Drouin discloses “detection of the rotational speed/rotational frequency (receiving speed information) of the disk (movable part)/spindle motor . . . which converts the speed information into corrective output of the disk.” Ans. 4 (citing Drouin 4:43–56, 7:23–36, 7:67–8:27, 8:62–9:15); *see also* Final Act. 3 (citing Drouin 4:66–5:8, 5:35–39). But the cited portions of Drouin disclose generating a “correction value which in effect is a sine wave generated at the same frequency as runout (i.e., 90 hz for a disk with seventy-two servo sectors per track spinning at 5400 rpm)” and using the sine wave to adjust the location of a read/write head. Drouin 8:8–11 (emphasis omitted), Fig. 1. Generating a sine wave with the same frequency as a spinning disk does not disclose receiving the speed of the disk, nor does using the sine wave to adjust the location of a read/write head disclose generating a correction value based on the speed of the disk. Accordingly, we do not sustain the Examiner’s rejection of independent claims 1, 11, and 20 and their respective dependent claims.

DECISION

For the above reasons, we reverse the rejection of claims 1, 3–13, 15–18, and 20–23.

REVERSED